



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,454	05/31/2001	Kwok-Yan Leung	LEUN3002/EM/6850	6601

23364 7590 11/05/2003

BACON & THOMAS, PLLC  
625 SLATERS LANE  
FOURTH FLOOR  
ALEXANDRIA, VA 22314

EXAMINER
----------

MOSLEHI, FARHOOD

ART UNIT	PAPER NUMBER
----------	--------------

2126

DATE MAILED: 11/05/2003

2

Please find below and/or attached an Office communication concerning this application or proceeding.

224

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/867,454		LEUNG, KWOK-YAN	
	<b>Examiner</b>		<b>Art Unit</b>	
	Farhood Moslehi		2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 May 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \*   c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____.  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

1. Claims 1-9 are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Sharma et al. (5,537,417) (hereinafter Sharma).
4. As per claim 1, Sharma discusses a socket tool for connection and communication of application layer software, being embodied in a form of coded codes, which are executed in a computer for its inside application layer software to call to connect and communicate with that of another computer under regulations of the Transmission Control Protocol (TCP), wherein the socket tool comprises a set of socket control codes for TCP network connection based on the Transmission Control Protocol (e.g. col. 4, lines 1-50).
5. As per claim 2, Sharma teaches about a socket tool comprising a set of value-incremental codes for dealing with data to be transmitted by the application layer software (e.g. col. 4, lines 1-14).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharma in view of W. Richard Stevens (Unix Network Programming, Prentice Hall, 1998, Sections 4.2-4.9, 11.2-11.9) (hereinafter Stevens).

8. As per claim 3, Sharma does not specifically discuss a socket tool wherein the set of socket control codes comprises at least a "SAccept" code, a "SClose" code, a "SConnect" code, a "SGetData" code, a "SListen" code, a "SSendData" code, a "SGetfileName" code, a "SSendFile" code, a "SConnectionRequest" code, a "SDataArrival"code, a "SError" code, a SSendcomplete" code, a "SFileArrival" code, and a "ConnectionTimeout"code. Stevens teaches a socket tool wherein the set of socket control codes comprises at least a "SAccept" code, a "SClose" code, a "SConnect" code, a "SGetData" code, a "SListen" code, a "SSendData" code, a "SGetfileName" code, a "SSendFile" code, a "SConnectionRequest" code, a "SDataArrival"code, a "SError" code, a SSendcomplete" code, a "SFileArrival" code, and a "ConnectionTimeout"code (e.g. Sections 4.2-4.9, 11.2-11.9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine

Sharma and Stevens in order to add code on top of standard Berkley Socket function to achieve additional functionalities.

9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharma in view of Friedland et al. (6,449,601) (hereinafter Friedland).

10. As per claim 4, Sharma does not specifically teach a socket tool wherein the set of value-incremental codes includes at least an encryption code and a decryption code. Friedland teaches a socket tool wherein the set of value-incremental codes includes at least an encryption code and a decryption code (e.g. col. 16, lines 37-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and Friedland in order to add encryption and decryption module codes to the system for security purposes.

11. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sharma in view of Edelson et al. (6,504,926).

12. As per claim 5, Sharma does not specifically teach a socket tool wherein the set of value-incremental codes includes at least a compression code and a decompression code. Edelson teaches a socket tool wherein the set of value-incremental codes includes at least a compression code and a decompression code (e.g. col. 3, lines 5-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and Edelson in order to include data compression and decompression in the system so that there would be a decrease in the usage of system and network resources.

Art Unit: 2126

13. Claim 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharma in view of Kelts (US 2002/0112237).

14. As per claim 6, Sharma does not specifically teach a socket tool wherein the application layer software is SQL database software. Kelts shows a SQL application running on a TCP socket supported environment (e.g. page 10, paragraph 106, lines 5-14). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and Kelts to provide for an RDBMS application to be run on the application layer of the system for record and data storage purposes.

15. As per claim 7, Sharma does not specifically teach a socket tool wherein the application layer software is an application software for downloading software. Kelts shows a socket tool wherein the application layer software is an application software for downloading software (e.g. page 15, paragraph 146, lines 1-9). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and Kelts in order to provide for a downloading application program for the purpose of file transfer and sharing automatically without manual interference by the user.

16. As per claim 8, Sharma does not specifically teach a socket tool wherein a downloaded file is a MP3 song file, a GIF format picture file, a JPG format picture file, or a moving picture format file. Kelts shows a socket tool wherein a downloaded file is a MP3 song file, a GIF format picture file, a JPG format picture file, or a moving picture format file (e.g. page 20, paragraph 193, lines 1-10). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and

Art Unit: 2126

Kelts in order to provide for an MP3 or additional file formats mentioned above to be downloaded.

17. As per claim 9, Sharma does not specifically show a socket tool wherein the application layer software is a chat application software. Kelts shows a socket tool wherein the application layer software is a chat application software (e.g. page 5, paragraph 64, lines 20-26). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Sharma and Kelts in order to provide for a chat application software to function in the application layer so that interactive communications and standard chat rooms can be established on the system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhood Moslehi whose telephone number is 703-305-8646. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 703-305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5484.

fm



**JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100**